



US Army Corps of Engineers

Omaha District

PUBLIC NOTICE

Application No: 200090768
Applicant: Donald Morton
Waterway: East Fork Bitterroot
Issue Date: March 14, 2000
Expiration Date: April 13, 2000

30 DAY NOTICE

REPLY TO:
Helena Regulatory Office
U.S. Army Corps of Engineers
301 South Park
Drawer 10014
Helena, Montana 59626-0014

**JOINT PUBLIC NOTICE
FOR PERMIT APPLICATION SUBMITTED TO
U.S. ARMY CORPS OF ENGINEERS
AND
MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY**

The application of Donald Morton, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Corps of Engineers, Omaha, Nebraska. **The project described herein is not being proposed by the Corps, but by the applicant; the Corps will evaluate the proposed work to determine if it is permittable under current laws and regulations.**

Description of Proposed Project: The applicant requests permission to redirect flows back into a south channel and prevent it from being captured by the north channel. Substrate would be excavated from the south channel entrance and along the south bank. This material would be placed along the north channel to shape and stabilize the bank. Large woody debris would be placed across the north channel to reduce but not completely prevent flow into the north channel. A rock weir would be constructed across at the entrance to the north channel and the north bank would be sloped and seeded or sodded. Willow sprigs will also be implanted into the bank. Drawings showing the location and extent of the project are attached to this notice.

Location: The proposed activity is located in the NW1/4, of Section 12, Township 1 North, Range 19 West, Ravalli County, Montana.

Purpose: The purpose of the proposed project is prevent the north channel becoming the main stem of the East Fork Bitterroot and prevent bank erosion in the north channel.

401 Water Quality Certification: The Montana Department of Environmental Quality, 1520 East 6th Avenue, PO Box 200901, Helena, Montana 59620-0901, will review the proposed project with the intent to certify in accordance with the provisions of Section 401 of the Clean Water Act. The certification, if issued, will express the State's opinion that the operations undertaken by the applicant will not result in a violation of applicable water quality standards. The Montana Department of Environmental Quality hereby incorporates this public notice as its own public notice and procedures by reference thereto.

Cultural Resources: The Corps of Engineers, Omaha District will comply with the National Historic Preservation Act of 1966, as amended. We have checked the National Register of Historic Places and its current supplements, and there are no known National Register sites in the vicinity; however, we will evaluate input by the State Historic Preservation Office and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic or prehistoric properties, if warranted.

Threatened / Endangered Species: This project is in the known range of the threatened **Bull Trout, *Salvelinus confluentus***. In compliance with the Endangered Species Act, a preliminary "may-affect" determination has been made. Coordination with the U.S. Fish and Wildlife Service and other interested agencies will be completed to determine the effects on the threatened **bull trout** or its critical habitat.

Evaluation Factors: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of work on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act (40 C.F.R.; Part 230).

Comments: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. All public notice comments will be considered public information and will be subject to review by the applicant.

Any person may request, in writing and within the comment period specified in this notice, that a public hearing be held for the purpose of gathering additional information. Requests for public hearings must be identified as such and shall state specifically the reasons for holding a public hearing and what additional information would be obtained. The request must be submitted to the U.S. Army Corps of Engineers, 301 South Park, Drawer 10014, Helena, Montana 59626-0014. If it is decided that additional information is required and that a public hearing should be held, interested parties will be notified of the date, time and location.

Any interested party (particularly officials of any town, city, county, state, or Federal agency; Indian tribe; or local association whose interests may be affected by the work) is invited to submit to this office written facts, arguments, or objections on or before the expiration date listed on the front of this notice. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this application. All replies to the public notice should be addressed to the **U.S. Army Corps of Engineers, 301 South Park, Drawer 10014, Helena, Montana 59626-0014. Please reference the Application Number found on the first page of this notice in any correspondence.** Doug McDonald, telephone number (406) 441-1375, may be contacted for additional information. You may also fax your comments to (406) 441-1380.

Comments postmarked after the expiration date of this public notice will not be considered.

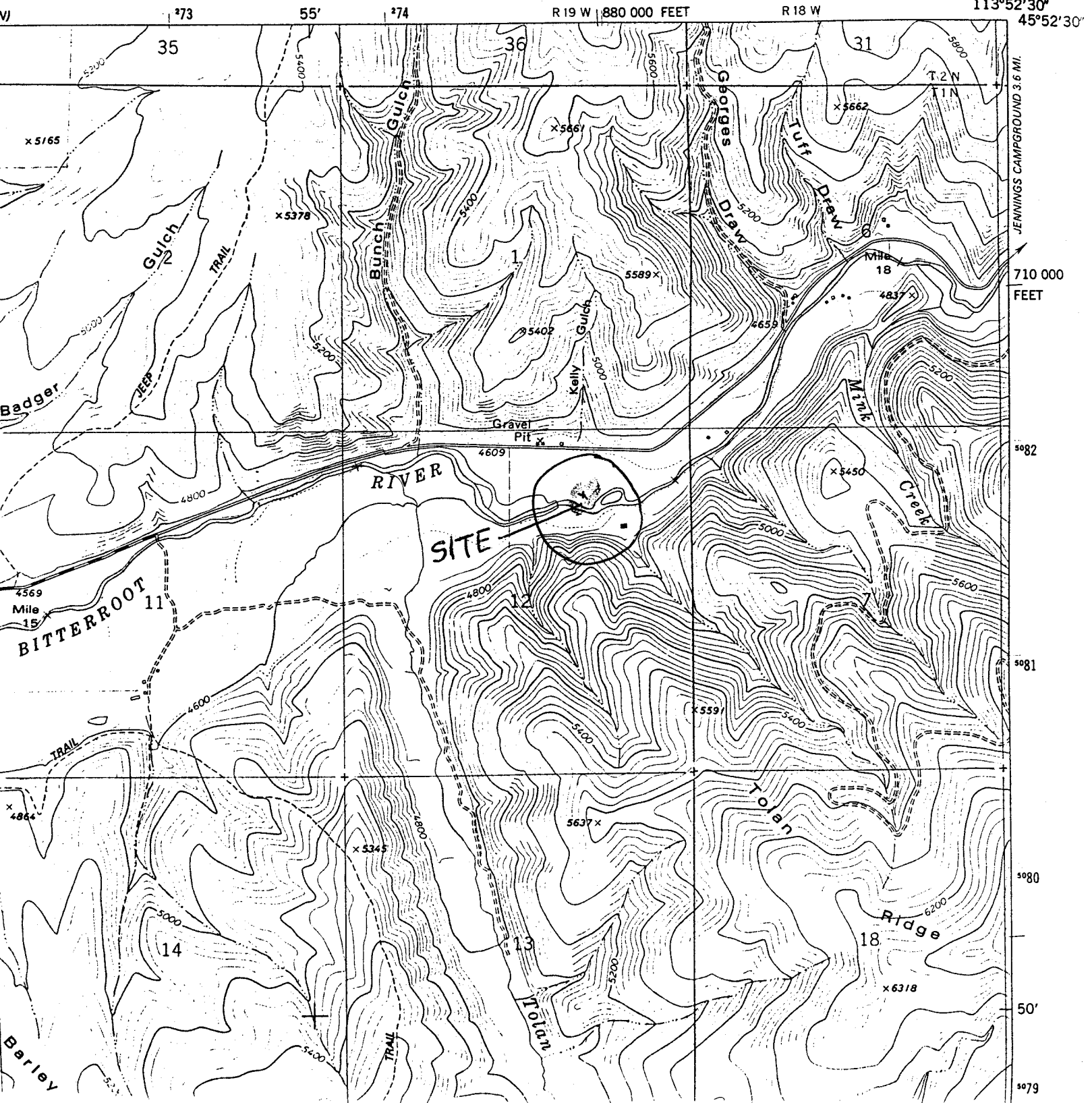
Statutory Authorities: A permit, if issued, will be under the provisions of Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.

SULA QUADRANGLE

MONTANA

7.5 MINUTE SERIES (TOPOGRAPHIC)

3275' N
JENNINGS
CR.



Bank Stabilization
Detail Sheet 3

Area to
be Filled

North Channel

East Fork Bitterroot River
Flow

Proposed
Rock Weir
Detail Sheet 2

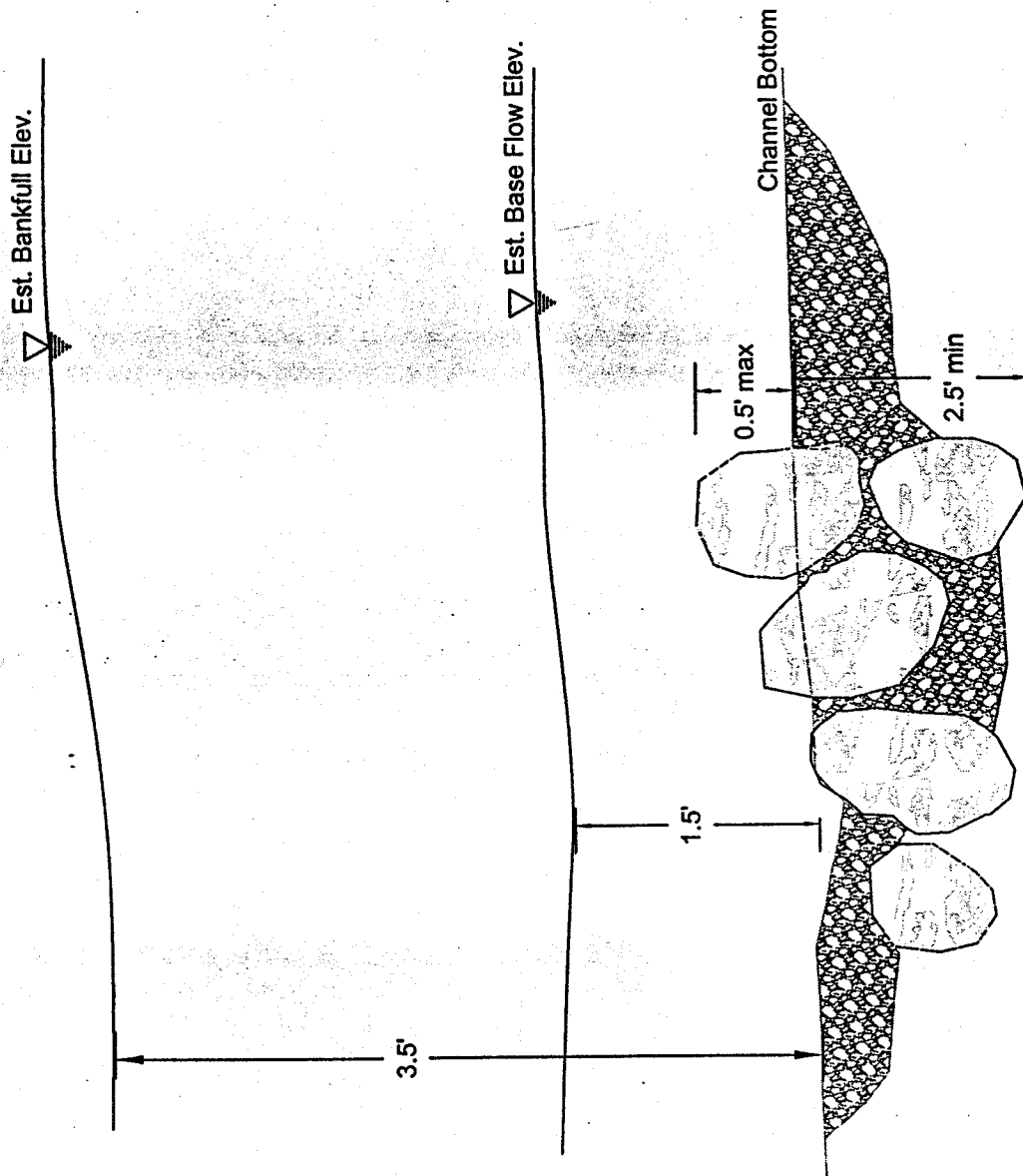
South Channel

High Bank

Figure 1 Site Plan Scale: 1"=50'

 LAND & WATER CONSULTING, INC. P.O. BOX 8254 Missoula, MT 59807	PROJ NO: 100342	DRAWN: MW, RA	PROJECT NAME	
	FILE NAME: vwiwr	CHECKED: int	East Fork Stabilization	
	SCALE: 1"=50'	APPVD:	DRAWING TITLE	
	LOCATION: Bitterroot, MT	PROJ MGR: PC	Site Plan	
			SHEET NUMBER	1 OF 3
			REV -	DATE: 03/02/01

Figure 2 Rock Weir Detail




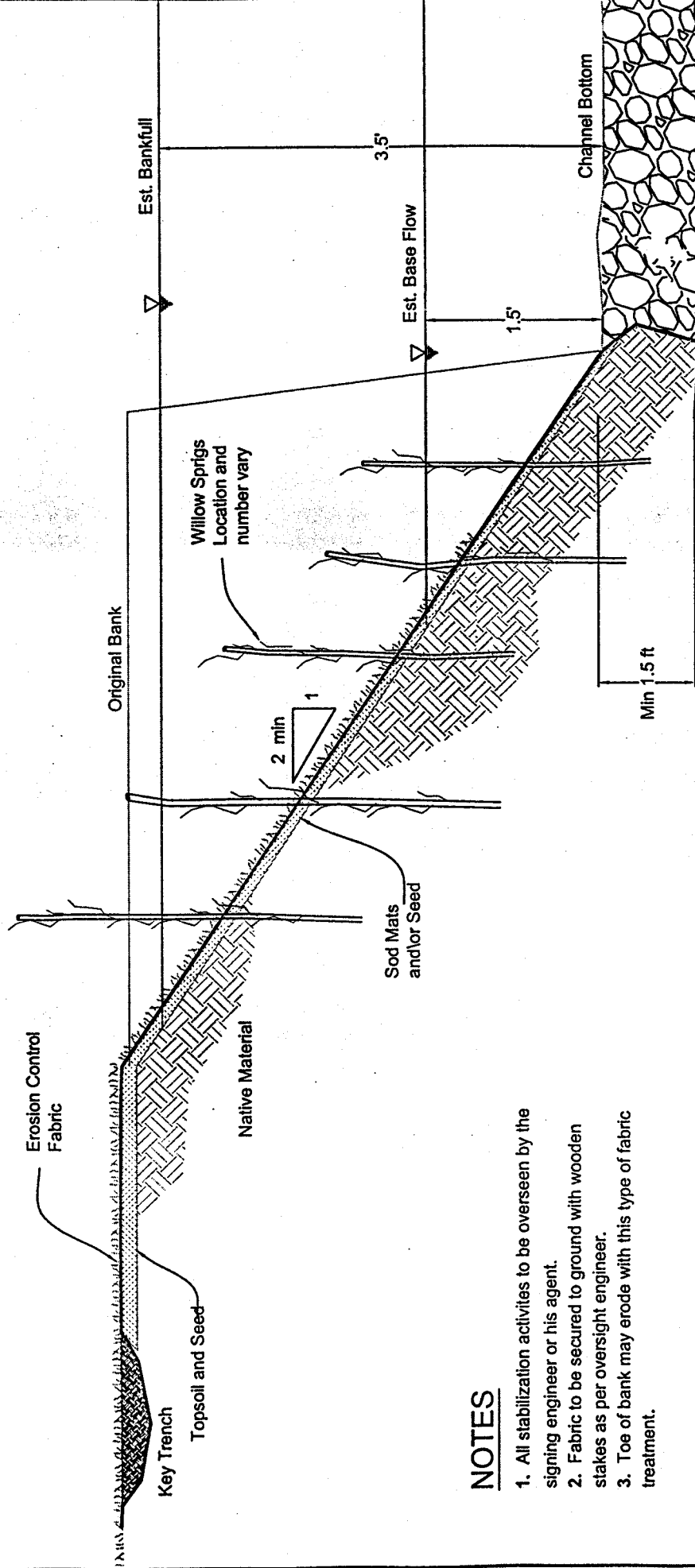
 LAND & WATER CONSULTING, INC. P.O. BOX 8254 Missoula, MT 59807	PROJ. NO: 100342	DRAWN: MW	PROJECT NAME	SHEET NUMBER
	FILE NAME: vwier	CHECKED:	East Fork Stabilization	2 OF 3
	SCALE: Not to scale	APPVD:	DRAWING TITLE	REV -
	LOCATION: Billerroot, MT	PROJ MGR: PC	Figure 2 Rock Weir Detail	DATE: XXXXXX

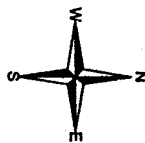
Figure 3 Bank Stabilization Detail



NOTES

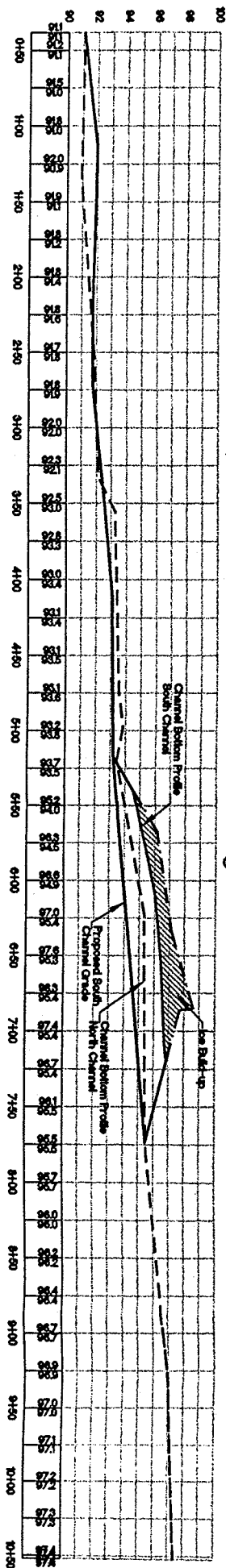
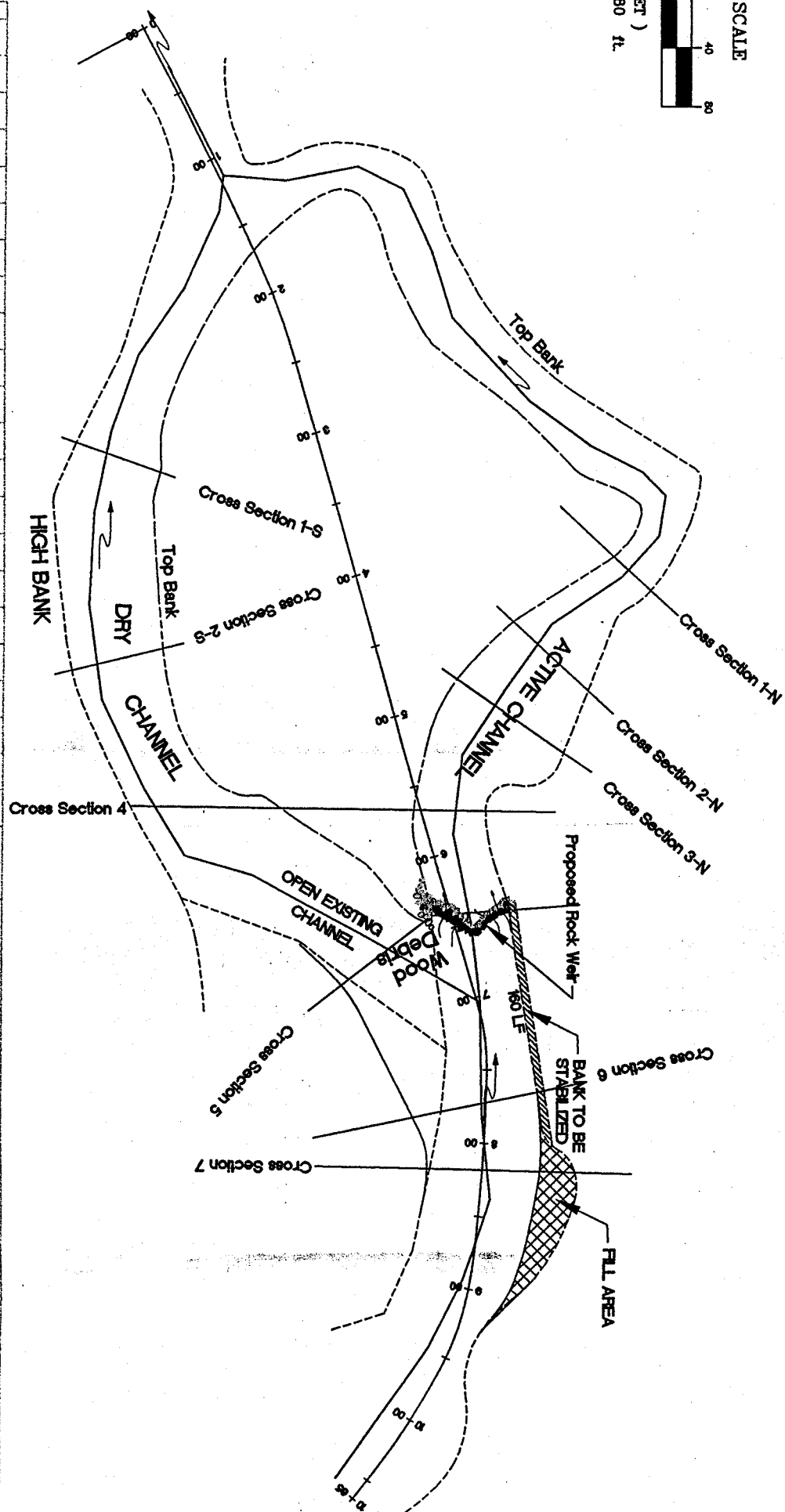
1. All stabilization activities to be overseen by the signing engineer or his agent.
2. Fabric to be secured to ground with wooden stakes as per oversight engineer.
3. Toe of bank may erode with this type of fabric treatment.

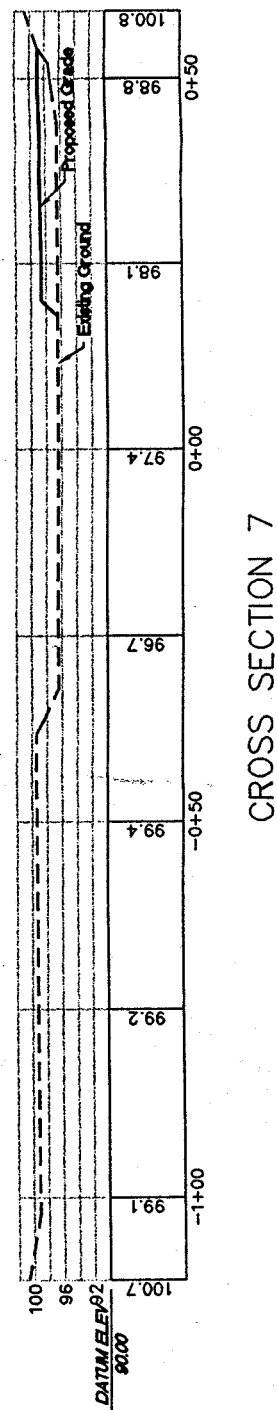
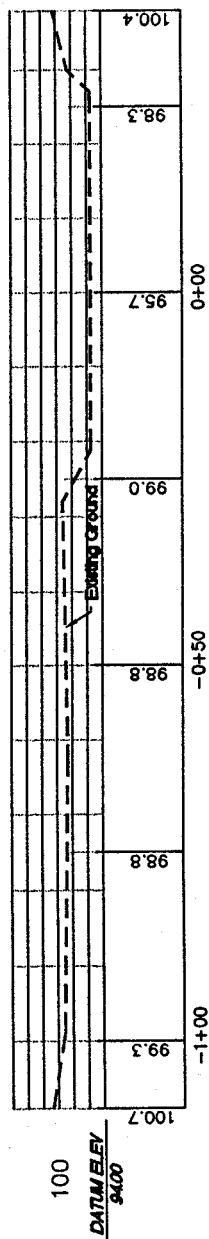
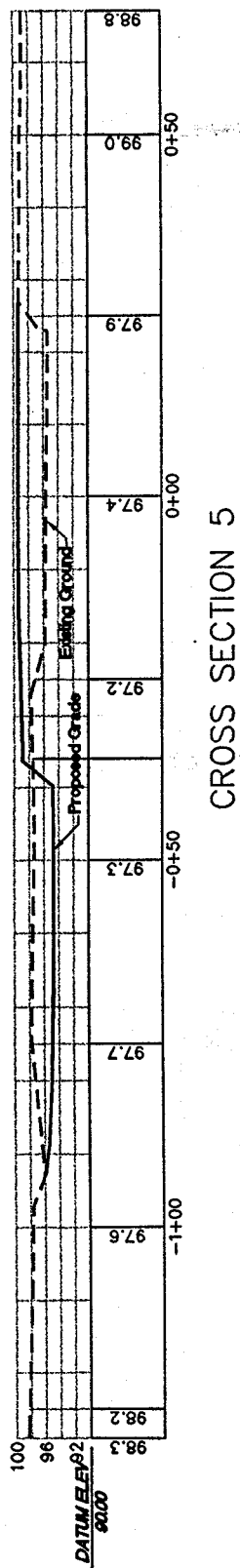
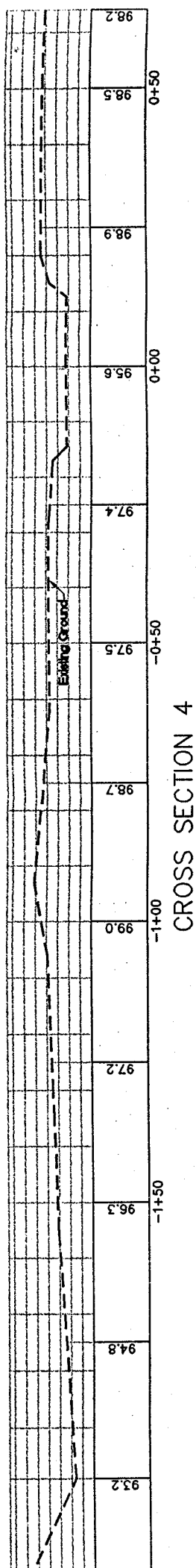
LAND & WATER CONSULTING, INC. P.O. BOX 8254 Missoula, MT 59807	PROJ NO: 100342	DRAWN: MW	PROJECT NAME	
	FILE NAME: bank_det	CHECKED: int	East Fork Stabilization	
	SCALE: Not to Scale	APPVD:	DRAWING TITLE	
	LOCATION: Bitterroot, MT	PROJ MGR: PC	Figure 3 Bank Stabilization Detail	
			SHEET NUMBER	3 OF 3
			REV -	DATE: 03/02/01



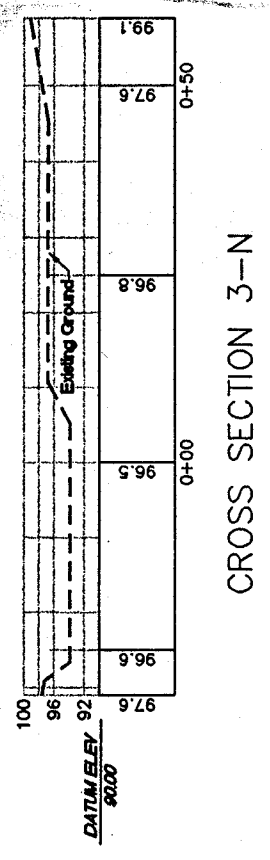
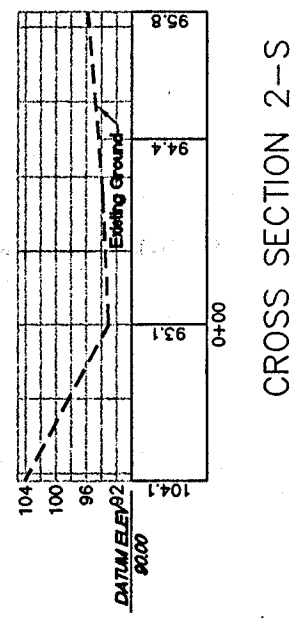
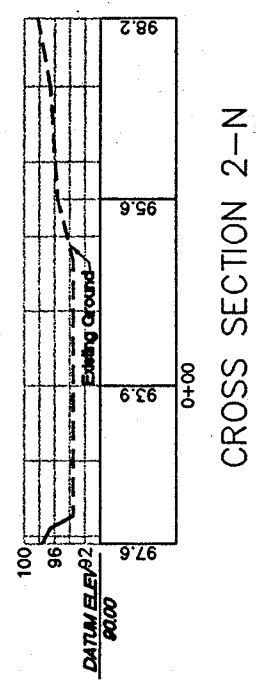
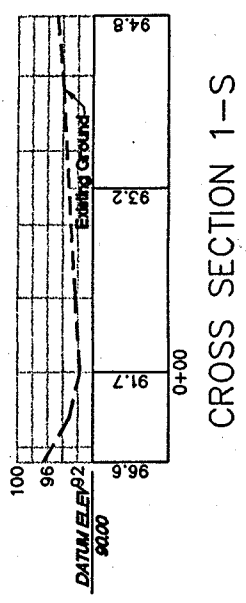
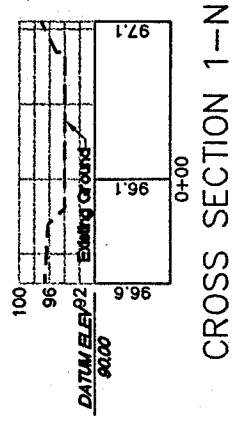
GRAPHIC SCALE

(IN FEET)
1 inch = 80 ft.





Note: Channel sections in areas under ice are approximate.



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